

REMARKS

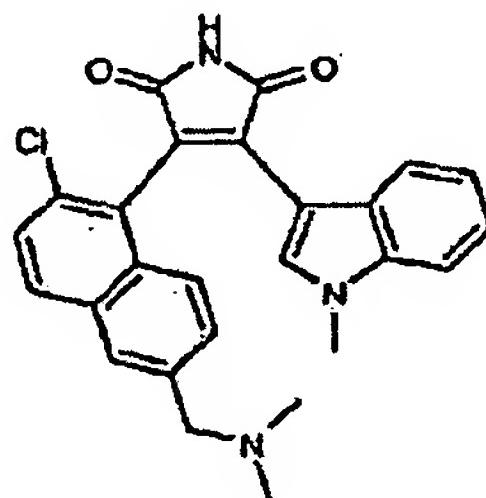
Claims 1, 2 and 9 have been amended to clarify the invention.

In the Office Action, the Examiner has required Applicants to elect a single invention among Groups I and II.

Applicants hereby elect, with traverse, Group (1), claims 1-5 and 8-9, drawn to compounds of the Formula I and a process for the production of the compound of Formula I.

The Examiner further required an election of species if Group (1) is elected. Applicants hereby elect the compound of example 1:

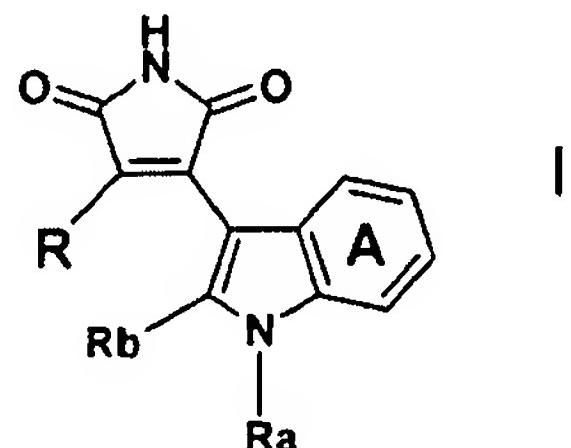
**Example 1: 3-(2-Chloro-6-dimethylaminomethyl-naphthalen-1-yl)-4-(1-methyl-1H-indol-3-yl)-pyrrole-2,5-dione**



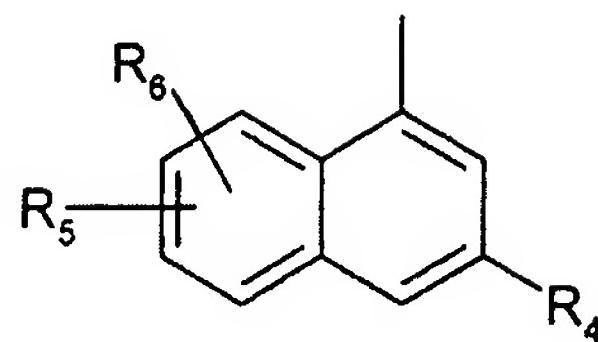
Where R<sub>a</sub> is methyl, R<sub>b</sub>-R<sub>e</sub> are hydrogen, R<sub>1</sub> is -CH<sub>2</sub>N(Me)<sub>2</sub> and R<sub>2</sub> is chloro. Example 1 can be found on page 4 of the specification as filed and in claims 1-3.

The Examiner is of the opinion that the core technical feature of the application is not a special technical feature because it fails to define a contribution over the prior art as can be seen Albert et al., (WO 02/38561).

Applicant respectfully traverse. Albert et al., discloses a compound of formula I:

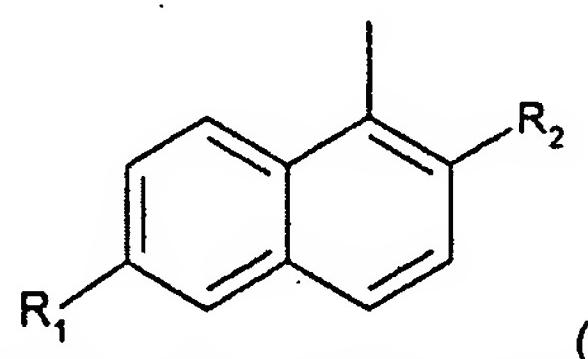


wherein R is a 3-substituted-1-naphthyl-derivative, i.e. the mandatory substituent in position 3 is R4:



wherein R<sub>4</sub> is OH; SH; a heterocyclic residue; NR<sub>16</sub>R<sub>17</sub>...

In contrast, the instant claims disclose 6-substituted-1-naphthyl-derivatives where R is a radical of formula (a):

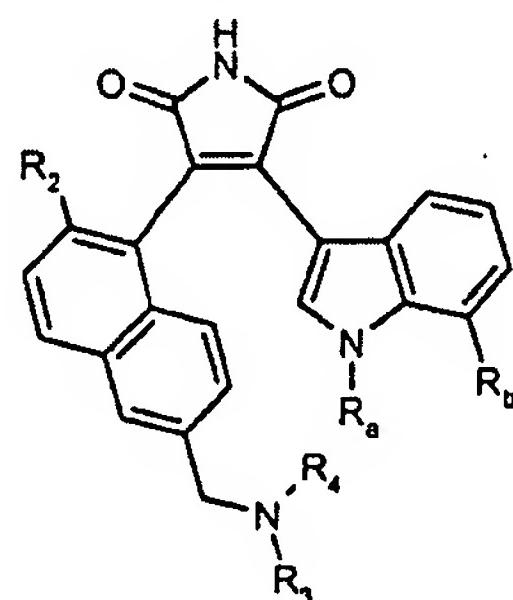


(a)

wherein R1 is a mandatory substituent since it cannot be hydrogen, and more specifically is defined as:

R1 is -(CH<sub>2</sub>)<sub>n</sub>-NR<sub>3</sub>R<sub>4</sub>, wherein each of R<sub>3</sub> and R<sub>4</sub>, independently, is H or C<sub>1-4</sub>alkyl; or R<sub>3</sub> and R<sub>4</sub> form together with the nitrogen atom to which they are bound a heterocyclic residue; n is 0, 1 or 2;

Applicants bring to the Examiner's attention that all compounds of the above application fall within the definition of claim 1 and all compounds (see page 4 and 9 of specification) have no substituent in position 3, and all have the mandatory substituent in position 6 as emphasized above. The generic example of page 9 is displayed for illustration.



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For the reasons set out above, applicant respectfully requests reconsideration and withdrawal of this restriction of the claims.

It is understood that upon allowance of a generic claim, Applicants will be entitled to consideration of claims to additional species which depend from or otherwise require all the limitations of an allowable generic claim.

Applicants request rejoinder of the method claims of commensurate scope to the composition of matter claims upon allowance of claims directed to the elected invention, e.g., Applicants respectfully request rejoinder of the subject matter corresponding to Groups I-II upon allowance of the claims embodying the elected invention

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Applicants respectfully request that the remarks made herein be entered and made of record in the file history of the present application. If any issues remain in connection herewith, the Examiner is respectfully invited to telephone the undersigned to discuss the same.

Respectfully submitted,



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Date: 7 November 2008